

REMARKS/ARGUMENTS

Reconsideration and allowance of the claims pending in the application are respectfully requested.

I. Status of Claims:

Claims 1-29 are pending in the application.

Claims 1-22 and 25-29 have been rejected as follows:

Claims 1, 2, 5 and 10 were rejected under 35 U.S.C. § 103(a) as being patentable over Auckland (Auckland, *et al.*; US Pub No.: 2003-0,078,037 A1) in view of Cho (Cho, Kwang Sun; CA 2 443 871 A1).

Claims 3, 4, 6-8 and 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland in view of Cho and further in view of (Specification of the Bluetooth System, Feb. 22, 2001).

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland and Cho and further in view of Merlin (Merlin, *et al.*; US Pub. No.: 2005-0,037,775 A1).

Claims 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland and Cho and further in view of Kim (Kim, *et al.*; US Pub. No.: 2003-0,108,010 A1).

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland and Cho and further in view of Ito (US 2002-0,151,276 A1).

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland, Cho and Ito; and further in view of Moeglein.

Claims 22, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Auckland, Cho and Ito; and further in view of the Specification (Specification of the Bluetooth System, Feb. 22, 2001).

Applicant responds to the indicated paragraphs of the subject Office Action, as follows:

II. Claim Rejections – 35 U.S.C. § 112:

Paragraph 1

Claim 13 has been rejected under 35 U.S.C. § 112, second paragraph, as having an insufficient basis for the limitation “the second UWB link” in line 6. Applicants have amended claim 13 at line 6 to replace the term “the” with the article “a”, and overcome the rejection of claim 13 under 35 U.S.C. § 112, second paragraph.

Paragraph 2:

Applicants note the allowability of claims 23 and 24.

III. Claim Rejections - 35 U.S.C. § 103:

Paragraphs 3 and 4:

Claims 1, 2, 5 and 10 have been rejected under 35 U.S.C. § 103(a) as being patentable over Auckland (Auckland, *et al.*; US Pub No.: 2003-0,078,037 A1) in view of Cho (Cho, Kwang Sun; CA 2 443 871 A1).

The combination of Auckland and Cho as references is improper under 35 USC 102 (b) based on Cho (CA2443871) having a publication date of October 2, 2003, the Cho publication date occurring after the filing date of September 12, 2003 for the subject application. Moreover, claims 1, 2, 5 and 10 are believed allowable over Auckland per se based on the

Examiner acknowledging in Paragraph 4 of the Office Action that Auckland does not disclose all the features of claims 1, 2, 5 and 10.

Paragraphs 5 -12:

Claims 3, 4, 6-9 and 11-29, remaining in the application, have been rejected on Auckland and Cho in view of other references. The combinations of references all fail to support a rejection under 35 USC 103 (a) because Cho is not a qualifying reference under 35 U.S.C. § 103(b). Applicants request withdrawal of the rejections and allowance of claims 3, 4, 6-9 and 11-29.

CONCLUSION

Based on the foregoing remarks, Applicants respectfully request reconsideration of the claims; withdrawal of the rejection; allowance of the claims, and passage to issue of the application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4144. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No 13-4500, Order No. 4208-4144. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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